

COMMITTEE ON EDUCATION

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2031

(Reference to printed bill)

Page 1, between lines 1 and 2, insert:

"Section 1. Section 15-183, Arizona Revised Statutes, is amended to read:

15-183. Charter schools: application: requirements: immunity: exemptions: renewal of application: reprisal

A. An applicant seeking to establish a charter school shall submit a written application to a proposed sponsor as prescribed in subsection C of this section. The application shall include a detailed business plan for the charter school and may include a mission statement for the charter school, a description of the charter school's organizational structure and the governing body, a financial plan for the first three years of operation of the charter school, a description of the charter school's hiring policy, the name of the charter school's applicant or applicants and requested sponsor, a description of the charter school's facility and the location of the school, a description of the grades being served and an outline of criteria designed to measure the effectiveness of the school.

B. The sponsor of a charter school may contract with a public body, private person or private organization for the purpose of establishing a charter school pursuant to this article.

C. The sponsor of a charter school may be either a school district governing board, the state board of education or the state board for charter schools, subject to the following requirements:

1. For charter schools that submit an application for sponsorship to a school district governing board:

(a) An applicant for a charter school may submit its application to a school district governing board, which shall either accept or reject sponsorship of the charter school within ninety days. An applicant may submit a revised application for reconsideration by the governing board. If the governing board rejects the application, the governing board shall notify the applicant in writing of the reasons for the rejection. The applicant may

1 request, and the governing board may provide, technical assistance to improve
2 the application.

3 (b) In the first year that a school district is determined to be out
4 of compliance with the uniform system of financial records, within fifteen
5 days of the determination of noncompliance, the school district shall notify
6 by certified mail each charter school sponsored by the school district that
7 the school district is out of compliance with the uniform system of financial
8 records. The notification shall include a statement that if the school
9 district is determined to be out of compliance for a second consecutive year,
10 the charter school will be required to transfer sponsorship to another entity
11 pursuant to subdivision (c) of this paragraph.

12 (c) In the second consecutive year that a school district is
13 determined to be out of compliance with the uniform system of financial
14 records, within fifteen days of the determination of noncompliance, the
15 school district shall notify by certified mail each charter school sponsored
16 by the school district that the school district is out of compliance with the
17 uniform system of financial records. A charter school that receives a
18 notification of school district noncompliance pursuant to this subdivision
19 shall file a written sponsorship transfer application within forty-five days
20 with the state board of education, the state board for charter schools or the
21 school district governing board if the charter school is located within the
22 geographic boundaries of that school district. A charter school that
23 receives a notification of school district noncompliance may request an
24 extension of time to file a sponsorship transfer application and the state
25 board of education, the state board for charter schools or a school district
26 governing board may grant an extension of not more than an additional thirty
27 days if good cause exists for the extension. The state board of education
28 and the state board for charter schools shall approve a sponsorship transfer
29 application pursuant to this paragraph.

30 (d) Beginning July 1, 2000, a school district governing board shall
31 not grant a charter to a charter school that is located outside the
32 geographic boundaries of that school district.

33 (e) A school district that has been determined to be out of compliance
34 with the uniform system of financial records during either of the previous
35 two fiscal years shall not sponsor a new or transferring charter school.

1 2. The applicant may submit the application to the state board of
2 education or the state board for charter schools. The state board of
3 education or the state board for charter schools may approve the application
4 if the application meets the requirements of this article and may approve the
5 charter if the proposed sponsor determines, within its sole discretion, that
6 the applicant is sufficiently qualified to operate a charter school. The
7 state board of education or the state board for charter schools may approve
8 any charter schools transferring charters. The state board of education and
9 the state board for charter schools shall approve any charter schools
10 transferring charters from a school district that is determined to be out of
11 compliance with the uniform system of financial records pursuant to this
12 section, but may require the charter school to sign a new charter that is
13 equivalent to the charter awarded by the former sponsor. If the state board
14 of education or the state board for charter schools rejects the preliminary
15 application, the state board of education or the state board for charter
16 schools shall notify the applicant in writing of the reasons for the
17 rejection and of suggestions for improving the application. An applicant may
18 submit a revised application for reconsideration by the state board of
19 education or the state board for charter schools. The applicant may request,
20 and the state board of education or the state board for charter schools may
21 provide, technical assistance to improve the application.

22 3. Each applicant seeking to establish a charter school shall submit a
23 full set of fingerprints to the approving agency for the purpose of obtaining
24 a state and federal criminal records check pursuant to section 41-1750 and
25 Public Law 92-544. If an applicant will have direct contact with students,
26 the applicant shall possess a valid fingerprint clearance card that is issued
27 pursuant to title 41, chapter 12, article 3.1. The department of public
28 safety may exchange this fingerprint data with the federal bureau of
29 investigation. The criminal records check shall be completed before the
30 issuance of a charter.

31 4. All persons engaged in instructional work directly as a classroom,
32 laboratory or other teacher or indirectly as a supervisory teacher, speech
33 therapist or principal shall have a valid fingerprint clearance card that is
34 issued pursuant to title 41, chapter 12, article 3.1, unless the person is a
35 volunteer or guest speaker who is accompanied in the classroom by a person

1 with a valid fingerprint clearance card. A charter school shall not employ a
2 teacher whose certificate has been revoked for a violation of section 15-507
3 or 15-550 or for any offense that placed a pupil in danger. All other
4 personnel shall be fingerprint checked pursuant to section 15-512. Before
5 employment, the charter school shall make documented, good faith efforts to
6 contact previous employers of a person to obtain information and
7 recommendations that may be relevant to a person's fitness for employment as
8 prescribed in section 15-512, subsection F. The charter school shall notify
9 the department of public safety if the charter school or sponsor receives
10 credible evidence that a person who possesses a valid fingerprint clearance
11 card is arrested for or is charged with an offense listed in section
12 41-1758.03, subsection B. Charter schools may hire personnel that have not
13 yet received a fingerprint clearance card if proof is provided of the
14 submission of an application to the department of public safety for a
15 fingerprint clearance card and if the charter school that is seeking to hire
16 the applicant does all of the following:

17 (a) Documents in the applicant's file the necessity for hiring and
18 placement of the applicant before receiving a fingerprint clearance card.

19 (b) Ensures that the department of public safety completes a statewide
20 criminal records check on the applicant. A statewide criminal records check
21 shall be completed by the department of public safety every one hundred
22 twenty days until the date that the fingerprint check is completed.

23 (c) Obtains references from the applicant's current employer and the
24 two most recent previous employers except for applicants who have been
25 employed for at least five years by the applicant's most recent employer.

26 (d) Provides general supervision of the applicant until the date that
27 the fingerprint card is obtained.

28 (e) Completes a search of criminal records in all local jurisdictions
29 outside of this state in which the applicant has lived in the previous five
30 years.

31 (f) Verifies the fingerprint status of the applicant with the
32 department of public safety.

33 5. A CHARTER SCHOOL THAT COMPLIES WITH THE FINGERPRINTING REQUIREMENTS
34 OF THIS SECTION SHALL BE DEEMED TO HAVE COMPLIED WITH SECTION 15-512 AND IS

1 ENTITLED TO THE SAME RIGHTS AND PROTECTIONS PROVIDED TO SCHOOL DISTRICTS BY
2 SECTION 15-512.

3 ~~5-~~ 6. If a charter school operator is not already subject to a public
4 meeting or hearing by the municipality in which the charter school is
5 located, the operator of a charter school shall conduct a public meeting at
6 least thirty days before the charter school operator opens a site or sites
7 for the charter school. The charter school operator shall post notices of
8 the public meeting in at least three different locations that are within
9 three hundred feet of the proposed charter school site.

10 ~~6-~~ 7. A person who is employed by a charter school or who is an
11 applicant for employment with a charter school, who is arrested for or
12 charged with a nonappealable offense listed in section 41-1758.03, subsection
13 B and who does not immediately report the arrest or charge to the person's
14 supervisor or potential employer is guilty of unprofessional conduct and the
15 person shall be immediately dismissed from employment with the charter school
16 or immediately excluded from potential employment with the charter school.

17 ~~7-~~ 8. A person who is employed by a charter school and who is
18 convicted of any nonappealable offense listed in section 41-1758.03,
19 subsection B or is convicted of any nonappealable offense that amounts to
20 unprofessional conduct under section 15-550 shall immediately do all of the
21 following:

22 (a) Surrender any certificates issued by the department of education.

23 (b) Notify the person's employer or potential employer of the
24 conviction.

25 (c) Notify the department of public safety of the conviction.

26 (d) Surrender the person's fingerprint clearance card.

27 D. A board that is authorized to sponsor charter schools pursuant to
28 this article has no legal authority over or responsibility for a charter
29 school sponsored by a different board. This subsection does not apply to the
30 state board of education's duty to exercise general supervision over the
31 public school system pursuant to section 15-203, subsection A, paragraph 1.

32 E. The charter of a charter school shall ensure the following:

33 1. Compliance with federal, state and local rules, regulations and
34 statutes relating to health, safety, civil rights and insurance. The
35 department of education shall publish a list of relevant rules, regulations

1 and statutes to notify charter schools of their responsibilities under this
2 paragraph.

3 2. That it is nonsectarian in its programs, admission policies and
4 employment practices and all other operations.

5 3. That it provides a comprehensive program of instruction for at
6 least a kindergarten program or any grade between grades one and twelve,
7 except that a school may offer this curriculum with an emphasis on a specific
8 learning philosophy or style or certain subject areas such as mathematics,
9 science, fine arts, performance arts or foreign language.

10 4. That it designs a method to measure pupil progress toward the pupil
11 outcomes adopted by the state board of education pursuant to section
12 15-741.01, including participation in the Arizona instrument to measure
13 standards test and the nationally standardized norm-referenced achievement
14 test as designated by the state board and the completion and distribution of
15 an annual report card as prescribed in chapter 7, article 3 of this title.

16 5. That, except as provided in this article and in its charter, it is
17 exempt from all statutes and rules relating to schools, governing boards and
18 school districts.

19 6. That, except as provided in this article, it is subject to the same
20 financial and electronic data submission requirements as a school district,
21 including the uniform system of financial records as prescribed in chapter 2,
22 article 4 of this title, procurement rules as prescribed in section 15-213
23 and audit requirements. The auditor general shall conduct a comprehensive
24 review and revision of the uniform system of financial records to ensure that
25 the provisions of the uniform system of financial records that relate to
26 charter schools are in accordance with commonly accepted accounting
27 principles used by private business. A school's charter may include
28 exceptions to the requirements of this paragraph that are necessary as
29 determined by the district governing board, the state board of education or
30 the state board for charter schools. The department of education or the
31 office of the auditor general may conduct financial, program or compliance
32 audits.

33 7. Compliance with all federal and state laws relating to the
34 education of children with disabilities in the same manner as a school
35 district.

1 8. That it provides for a governing body for the charter school that
2 is responsible for the policy decisions of the charter school.

3 9. That it provides a minimum of one hundred seventy-five
4 instructional days before June 30 of each fiscal year unless it is operating
5 on an alternative calendar approved by its sponsor. The superintendent of
6 public instruction shall adjust the apportionment schedule accordingly to
7 accommodate a charter school utilizing an alternative calendar.

8 F. The charter of a charter school shall include a description of the
9 charter school's personnel policies, personnel qualifications and method of
10 school governance and the specific role and duties of the sponsor of the
11 charter school. A charter school shall keep on file the resumes of all
12 current and former employees who provide instruction to pupils at the charter
13 school. Resumes shall include an individual's educational and teaching
14 background and experience in a particular academic content subject area. A
15 charter school shall inform parents and guardians of the availability of the
16 resume information and shall make the resume information available for
17 inspection on request of parents and guardians of pupils enrolled at the
18 charter school. Nothing in this subsection shall be construed to require any
19 charter school to release personally identifiable information in relation to
20 any teacher or employee including the teacher's or employee's address,
21 salary, social security number or telephone number.

22 G. The charter of a charter school may be amended at the request of
23 the governing body of the charter school and on the approval of the sponsor.

24 H. Charter schools may contract, sue and be sued.

25 I. An approved plan to establish a charter school is effective for
26 fifteen years from the first day of operation. At least eighteen months
27 before the expiration of the approved plan, the sponsor shall notify the
28 charter school that the charter school may apply for renewal. A charter
29 school that elects to apply for renewal shall file an application for renewal
30 at least fifteen months before the expiration of the approved plan. In
31 addition to any other requirements, the application for renewal shall include
32 a detailed business plan for the charter school. The sponsor may deny the
33 request for renewal if, in its judgment, the charter school has failed to
34 complete the obligations of the contract or has failed to comply with this
35 article. A sponsor shall give written notice of its intent not to renew the

1 charter school's request for renewal to the charter school at least twelve
2 months before the expiration of the approved plan to allow the charter school
3 an opportunity to apply to another sponsor to transfer the operation of the
4 charter school. If the operation of the charter school is transferred to
5 another sponsor, the fifteen year period of the current charter shall be
6 maintained. A sponsor shall review a charter at five year intervals and may
7 revoke a charter at any time if the charter school breaches one or more
8 provisions of its charter. At least ninety days before the effective date of
9 the proposed revocation the sponsor shall give written notice to the operator
10 of the charter school of its intent to revoke the charter. Notice of the
11 sponsor's intent to revoke the charter shall be delivered personally to the
12 operator of the charter school or sent by certified mail, return receipt
13 requested, to the address of the charter school. The notice shall
14 incorporate a statement of reasons for the proposed revocation of the
15 charter. The sponsor shall allow the charter school at least ninety days to
16 correct the problems associated with the reasons for the proposed revocation
17 of the charter. The final determination of whether to revoke the charter
18 shall be made at a public hearing called for such purpose.

19 J. After renewal of the charter at the end of the fifteen year period
20 described in subsection I of this section, the charter may be renewed for
21 successive periods of fifteen years if the charter school and its sponsor
22 deem that the school is in compliance with its own charter and this article.

23 K. A charter school that is sponsored by the state board of education
24 or the state board for charter schools may not be located on the property of
25 a school district unless the district governing board grants this authority.

26 L. A governing board or a school district employee who has control
27 over personnel actions shall not take unlawful reprisal against another
28 employee of the school district because the employee is directly or
29 indirectly involved in an application to establish a charter school. A
30 governing board or a school district employee shall not take unlawful
31 reprisal against an educational program of the school or the school district
32 because an application to establish a charter school proposes the conversion
33 of all or a portion of the educational program to a charter school. For the
34 purposes of this subsection, "unlawful reprisal" means an action that is
35 taken by a governing board or a school district employee as a direct result

1 of a lawful application to establish a charter school and that is adverse to
2 another employee or an education program and:

3 1. With respect to a school district employee, results in one or more
4 of the following:

5 (a) Disciplinary or corrective action.

6 (b) Detail, transfer or reassignment.

7 (c) Suspension, demotion or dismissal.

8 (d) An unfavorable performance evaluation.

9 (e) A reduction in pay, benefits or awards.

10 (f) Elimination of the employee's position without a reduction in
11 force by reason of lack of monies or work.

12 (g) Other significant changes in duties or responsibilities that are
13 inconsistent with the employee's salary or employment classification.

14 2. With respect to an educational program, results in one or more of
15 the following:

16 (a) Suspension or termination of the program.

17 (b) Transfer or reassignment of the program to a less favorable
18 department.

19 (c) Relocation of the program to a less favorable site within the
20 school or school district.

21 (d) Significant reduction or termination of funding for the program.

22 M. Charter schools shall secure insurance for liability and property
23 loss. The governing body of a charter school that is sponsored by the state
24 board of education or the state board for charter schools may enter into an
25 intergovernmental agreement or otherwise contract to participate in an
26 insurance program offered by a risk retention pool established pursuant to
27 section 11-952.01 or 41-621.01 or the charter school may secure its own
28 insurance coverage. The pool may charge the requesting charter school
29 reasonable fees for any services it performs in connection with the insurance
30 program.

31 N. Charter schools do not have the authority to acquire property by
32 eminent domain.

33 O. A sponsor, including members, officers and employees of the
34 sponsor, is immune from personal liability for all acts done and actions
35 taken in good faith within the scope of its authority.

1 P. Charter school sponsors and this state are not liable for the debts
2 or financial obligations of a charter school or persons who operate charter
3 schools.

4 Q. The sponsor of a charter school shall establish procedures to
5 conduct administrative hearings on determination by the sponsor that grounds
6 exist to revoke a charter. Procedures for administrative hearings shall be
7 similar to procedures prescribed for adjudicative proceedings in title 41,
8 chapter 6, article 10. Except as provided in section 41-1092.08, subsection
9 H, final decisions of the state board of education and the state board for
10 charter schools from hearings conducted pursuant to this subsection are
11 subject to judicial review pursuant to title 12, chapter 7, article 6.

12 R. The sponsoring entity of a charter school shall have oversight and
13 administrative responsibility for the charter schools that it sponsors.

14 S. Charter schools may pledge, assign or encumber their assets to be
15 used as collateral for loans or extensions of credit.

16 T. All property accumulated by a charter school shall remain the
17 property of the charter school.

18 U. Charter schools may not locate a school on property that is less
19 than one-fourth mile from agricultural land regulated pursuant to section
20 3-365, except that the owner of the agricultural land may agree to comply
21 with the buffer zone requirements of section 3-365. If the owner agrees in
22 writing to comply with the buffer zone requirements and records the agreement
23 in the office of the county recorder as a restrictive covenant running with
24 the title to the land, the charter school may locate a school within the
25 affected buffer zone. The agreement may include any stipulations regarding
26 the charter school, including conditions for future expansion of the school
27 and changes in the operational status of the school that will result in a
28 breach of the agreement.

29 V. A transfer of a charter to another sponsor, a transfer of a charter
30 school site to another sponsor or a transfer of a charter school site to a
31 different charter shall be completed before the beginning of the fiscal year
32 that the transfer is scheduled to become effective. An entity that sponsors
33 charter schools may accept a transferring school after the beginning of the
34 fiscal year if the transfer is approved by the superintendent of public
35 instruction. The superintendent of public instruction shall have the

1 discretion to consider each transfer during the fiscal year on a case by case
2 basis. If a charter school is sponsored by a school district that is
3 determined to be out of compliance with this title, the uniform system of
4 financial records or any other state or federal law, the charter school may
5 transfer to another sponsoring entity at any time during the fiscal year.

6 W. The sponsoring entity may not charge any fees to a charter school
7 that it sponsors unless the sponsor has provided services to the charter
8 school and the fees represent the full value of those services provided by
9 the sponsor. On request, the value of the services provided by the sponsor
10 to the charter school shall be demonstrated to the department of education."

11 Renumber to conform

12 Page 3, line 44, after the period insert "A CONTRACTOR, SUBCONTRACTOR OR VENDOR OR
13 ANY EMPLOYEE OF A CONTRACTOR, SUBCONTRACTOR OR VENDOR WHO IS CONTRACTED TO
14 PROVIDE SERVICES ON A REGULAR BASIS ON SCHOOL PROPERTY SHALL SUBMIT
15 FINGERPRINTS TO A SCHOOL DISTRICT IN ORDER TO OBTAIN A VALID FINGERPRINT
16 CLEARANCE CARD PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1."

17 Page 4, line 1, after the period insert "BY DECEMBER 31, 2009,"

18 Line 2, after "policies" insert "TO BE IMPLEMENTED SIXTY DAYS AFTER ADOPTION"

19 Line 10, strike the comma insert ":

20 1."

21 Between lines 12 and 13, insert:

22 "2. "SCHOOL PROPERTY" MEANS ALL PROPERTY THAT IS OWNED OR LEASED BY
23 THE SCHOOL DISTRICT AND WHERE PUPILS ARE REASONABLY EXPECTED TO BE PRESENT."

24 Page 5, after line 33, insert:

25 "Sec. 3. Section 15-550, Arizona Revised Statutes, is amended to read:

26 15-550. Unprofessional conduct; penalty

27 A. A teacher who has been convicted of a dangerous crime against
28 children as defined in section 13-705 or has been convicted of a violation of
29 section 13-1404 or 13-1406 in which the victim was a minor or section 13-1405
30 or an act committed in another state or territory which if committed in this
31 state would have been a dangerous crime against children or a violation of
32 section 13-1404 or 13-1406 in which the victim was a minor or a violation of
33 section 13-1405 is guilty of unprofessional conduct and the teacher's
34 certificate shall be revoked permanently immediately on notification of
35 conviction by the clerk of the court or the magistrate.

1 B. A teacher who has been convicted of a preparatory offense as
2 prescribed in section 13-1001 of any of the offenses prescribed in subsection
3 A of this section or any crime that requires the teacher to register as a sex
4 offender is guilty of unprofessional conduct and the teacher's certificate
5 shall be permanently revoked on notification of the conviction by a court of
6 competent jurisdiction.

7 C. **NOTWITHSTANDING THE DUE PROCESS PROCEDURES PRESCRIBED IN THIS**
8 **ARTICLE**, a person who is employed by a school district or who is an applicant
9 for employment with a school district, who is arrested for or charged with
10 any nonappealable offense listed in section 41-1758.03, subsection B and who
11 does not immediately report the arrest or charge to the person's supervisor
12 or potential employer is guilty of unprofessional conduct and the person
13 shall be immediately dismissed from employment with the school district or
14 immediately excluded from potential employment with the school district.

15 D. A person who is employed by a school district and who is convicted
16 of any nonappealable offense listed in section 41-1758.03, subsection B or is
17 convicted of any nonappealable offense that amounts to unprofessional conduct
18 under this section shall immediately do all of the following:

- 19 1. Surrender any certificates issued by the department of education.
- 20 2. Notify the person's employer or potential employer of the
21 conviction.
- 22 3. Notify the department of public safety of the conviction.
- 23 4. Surrender the person's fingerprint clearance card.

24 Sec. 4. Section 41-1758, Arizona Revised Statutes, is amended to read:

25 **41-1758. Definitions**

26 In this article, unless the context otherwise requires:

27 1. "Agency" means the supreme court, the department of economic
28 security, the department of education, the department of health services, the
29 department of juvenile corrections, the department of emergency and military
30 affairs, the board of fingerprinting or the board of examiners of nursing
31 care institution administrators and assisted living facility managers.

32 2. "Division" means the fingerprinting division in the department of
33 public safety.

34 3. "Good cause exception" means the issuance of a fingerprint
35 clearance card to an employee pursuant to section 41-619.55.

1 4. "Person" means a person who is required to be fingerprinted
2 pursuant to any of the following:

- 3 (a) Section 8-105.
4 (b) Section 8-322.
5 (c) Section 8-509.
6 (d) Section 8-802.
7 (e) Section 15-183.
8 (f) **SECTION 15-512.**
9 ~~(f)~~ (g) Section 15-534.
10 ~~(g)~~ (h) Section 15-1330.
11 ~~(h)~~ (i) Section 15-1881.
12 ~~(i)~~ (j) Section 26-103.
13 ~~(j)~~ (k) Section 36-411.
14 ~~(k)~~ (l) Section 36-425.03.
15 ~~(l)~~ (m) Section 36-446.04.
16 ~~(m)~~ (n) Section 36-594.01.
17 ~~(n)~~ (o) Section 36-594.02.
18 ~~(o)~~ (p) Section 36-882.
19 ~~(p)~~ (q) Section 36-883.02.
20 ~~(q)~~ (r) Section 36-897.01.
21 ~~(r)~~ (s) Section 36-897.03.
22 ~~(s)~~ (t) Section 36-3008.
23 ~~(t)~~ (u) Section 41-619.52.
24 ~~(u)~~ (v) Section 41-619.53.
25 ~~(v)~~ (w) Section 41-1964.
26 ~~(w)~~ (x) Section 41-1967.01.
27 ~~(x)~~ (y) Section 41-1968.
28 ~~(y)~~ (z) Section 41-1969.
29 ~~(z)~~ (aa) Section 41-2814.
30 ~~(aa)~~ (bb) Section 46-141, subsection A.
31 ~~(bb)~~ (cc) Section 46-321.
32 5. "Vulnerable adult" has the same meaning prescribed in section
33 13-3623.

1 Sec. 5. Section 41-1758.01, Arizona Revised Statutes, is amended to
2 read:

3 41-1758.01. Fingerprinting division; duties

4 The fingerprinting division is established in the department of public
5 safety and shall:

6 1. Conduct fingerprint background checks for persons and applicants
7 who are seeking employment with licensees, contract providers and state
8 agencies or seeking employment or educational opportunities with agencies
9 that require fingerprint background checks pursuant to sections 8-105, 8-322,
10 8-509, 8-802, 15-183, 15-512, 15-534, 15-1330, 15-1881, 26-103, 36-411,
11 36-425.03, 36-446.04, 36-594.01, 36-594.02, 36-882, 36-883.02, 36-897.01,
12 36-897.03, 36-3008, 41-619.52, 41-619.53, 41-1964, 41-1967.01, 41-1968,
13 41-1969 and 41-2814, section 46-141, subsection A and section 46-321.

14 2. Issue fingerprint clearance cards. On issuance, a fingerprint
15 clearance card becomes the personal property of the cardholder and the
16 cardholder shall retain possession of the fingerprint clearance card.

17 3. On submission of an application for a fingerprint clearance card,
18 collect the fees established by the board of fingerprinting pursuant to
19 section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147, the
20 monies collected in the board of fingerprinting fund.

21 4. Inform in writing each person who submits fingerprints for a
22 fingerprint background check of the person's right to petition the board of
23 fingerprinting for a good cause exception pursuant to section 41-1758.03.

24 5. Administer and enforce this article."

25 Amend title to conform

and, as so amended, it do pass

RICH CRANDALL
Chairman

2031-ed
2/16/09
H:jjb